

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

Nos. 10-647C, 11-100C, and 12-900L
CONSOLIDATED

COLONIAL CHEVROLET CO., INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 10-647C
)	(Judge Firestone)
THE UNITED STATES,)	(Lead Case)
)	
Defendant.)	
)	
ALLEY’S OF KINGSPORT, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 11-100C
)	(Judge Firestone)
THE UNITED STATES,)	
)	
Defendant.)	
)	
UNION DODGE, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 12-900L
)	(Judge Firestone)
THE UNITED STATES,)	
)	
Defendant.)	
)	

JOINT STATUS REPORT

In accordance with the Court’s October 2, 2019 order, plaintiffs, Alley’s of Kingsport, Inc., et al., Colonial Chevrolet Co., Inc., et al., Union Dodge, Inc., et al. (plaintiffs), and defendant, the United States, respectfully submit this joint status report “proposing a schedule for

next steps to resolve the litigation of the remaining rejected Chrysler and GM franchisees.” ECF No. 504, Opinion and Order, at 183 (October 2, 2019). The parties’ positions are set forth below:

Alley’s Plaintiffs’ Position: The model Chrysler plaintiffs have not yet decided whether to file a notice of appeal of the Court’s October 2, 2019 decision. If the Chrysler model plaintiffs do appeal, the Alley’s plaintiffs contend that the claims of all the remaining Chrysler plaintiffs should BE STAYED until the appeal is resolved.

Colonial Plaintiffs’ Position: Our clients cannot commit to a CFC schedule concerning the non-model Chrysler and GM dealers until decisions are made concerning an appeal. Our GM clients request their cases continue to be held in abeyance if an appeal is taken. Accordingly, our Chrysler and GM clients propose to report to the CFC a schedule for the next steps to resolve the litigation of the remaining rejected Chrysler and GM franchisees before December 17, 2019.

Government’s Position: The Government agrees that the parties are unable at this time to propose a definitive schedule for moving forward with resolving the claims of the remaining Chrysler and GM plaintiffs because (1) the Chrysler plaintiffs have not yet decided whether to file a notice of appeal of the Court’s October 2, 2019 decision, and (2) if the Chrysler model plaintiffs do appeal, all of the remaining plaintiffs (Chrysler and GM) have indicated that they will seek to stay the remaining claims until the appeal is resolved. Thus, the Government’s position on how to move forward with either set of plaintiffs will be largely informed by whether an appeal is taken of the Court’s decision.

The deadline for the plaintiffs to appeal the Court’s October 2, 2019 Order is December 2, 2019. Accordingly, the Government concurs with the request for additional time to advise the Court on further proceedings, as any proposals put forth at this time would be hypothetical.

The parties respectfully request permission to file another status report on December 17, 2019, after the deadline for appeal has passed.

Respectfully submitted,

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